

JCCG Rec'd PCT/PTO 23 AUG 2005

**10/519288**  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: POHN ET AL  
SERIAL NO: 10/519,288 CONF. NO. 9312  
PCT #: PCT/AT03/00163 PCT FILED: JUNE 4, 2003  
TITLE: SHUT-OFF FITTING

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.  
§371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

MAIL STOP: PCT  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA. 22313-1450

Dear Sir:

In response to the enclosed "Notification of Missing Requirements Under 35 U.S.C. §371 in the United States Designated/Elected Office (DO/EO/US)", dated JUNE 23, 2005, submitted herewith is the duly executed DECLARATION and POWER OF ATTORNEY, along with a check in the amount of \$130, to cover the surcharge for the late filing of the Declaration.

Also enclosed is a Second Preliminary Amendment.

/29/2005 AFRAN1  
FC:1617


00000078 10519288

130.00 Op

Any fee deficiencies may be charged to deposit account 03-2468.

Respectfully submitted,  
Franz POHN ET AL

By:

  
Allison C. Collard, Reg. No. 22,532  
Frederick J. Dorchak, Reg. No. 29,298  
Edward R. Freedman, Reg. No. 26,048  
Attorneys for Applicants

COLLARD & ROE, P.C.  
1077 Northern Boulevard  
Roslyn, New York 11576  
(516) 365-9802

Encls: Check in the amount of \$130  
Executed Declaration  
Copy of "Notice to File Missing Parts ..."  
2<sup>nd</sup> Preliminary Amendment

EXPRESS MAIL NO. EV 686 521 603 US  
Date of Deposit: AUGUST 23, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the date indicated above, and is addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
\_\_\_\_\_  
Maria Guastella



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/519,288	Franz Johann Pohn	POHN ET AL - 1 PCT

INTERNATIONAL APPLICATION NO.

PCT/AT03/00163

I.A. FILING DATE

06/04/2003

PRIORITY DATE

06/27/2002

25889  
 WILLIAM COLLARD  
 COLLARD & ROE, P.C.  
 1077 NORTHERN BOULEVARD  
 ROSLYN, NY 11576

CONFIRMATION NO. 9312

371 FORMALITIES LETTER



\*OC000000016363426\*

Date Mailed: 06/23/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/27/2004
- English Translation of the IA filed on 12/27/2004
- Copy of the International Search Report filed on 12/27/2004
- Copy of IPE Report filed on 12/27/2004
- Preliminary Amendments filed on 12/27/2004
- Request for Immediate Examination filed on 12/27/2004
- U.S. Basic National Fees filed on 12/27/2004
- Priority Documents filed on 12/27/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE**

DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/519,288	PCT/AT03/00163	POHN ET AL - 1 PCT

FORM PCT/DO/EO/905 (371 Formalities Notice)